



February 24, 2006

ENGROSSED HOUSE BILL No. 1420

DIGEST OF HB 1420 (Updated February 22, 2006 11:58 am - DI 104)

Citations Affected: IC 22-5.

Synopsis: Employee tobacco use. Allows an employer to implement financial incentives related to employer provided health benefits to reduce employee tobacco use.

Effective: July 1, 2006.

Brown T, Friend

(SENATE SPONSORS — GARD, YOUNG R MICHAEL)

January 12, 2006, read first time and referred to Committee on Rules and Legislative Procedures.

January 19, 2006, reassigned to Committee on Public Health.

January 25, 2006, amended, reported — Do Pass.

January 30, 2006, read second time, ordered engrossed. Engrossed.

February 2, 2006, read third time, passed. Yeas 75, nays 19.

SENATE ACTION

February 7, 2006, read first time and referred to Committee on Health and Provider Services.

February 23, 2006, amended, reported favorably — Do Pass.

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EH 1420—LS 6205/DI 44+



February 24, 2006

Second Regular Session 114th General Assembly (2006)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 2005 Regular Session of the General Assembly.

ENGROSSED HOUSE BILL No. 1420

A BILL FOR AN ACT to amend the Indiana Code concerning labor and safety.

Be it enacted by the General Assembly of the State of Indiana:

1 SECTION 1. IC 22-5-4-1 IS AMENDED TO READ AS FOLLOWS
2 [EFFECTIVE JULY 1, 2006]: Sec. 1. **(a) Except as provided in**
3 **subsection (b),** an employer may not:

4 (1) require, as a condition of employment, an employee or
5 prospective employee to refrain from using; or

6 (2) discriminate against an employee with respect to:

7 (A) the employee's compensation and benefits; or

8 (B) terms and conditions of employment;

9 based on the employee's use of;

10 tobacco products outside the course of the employee's or prospective
11 employee's employment.

12 **(b) An employer may implement financial incentives:**

13 (1) **intended to reduce tobacco use; and**

14 (2) **related to employee health benefits provided by the**
15 **employer.**

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EH 1420—LS 6205/DI 44+



COMMITTEE REPORT

Mr. Speaker: Your Committee on Public Health, to which was referred House Bill 1420, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill be amended as follows:

Delete the title and insert the following:

A BILL FOR AN ACT to amend the Indiana Code concerning tobacco products.

Delete everything after the enacting clause and insert the following:

(SEE TEXT OF BILL)

and when so amended that said bill do pass.

(Reference is to HB 1420 as introduced.)

BROWN T, Chair

Committee Vote: yeas 6, nays 1.

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COMMITTEE REPORT

Madam President: The Senate Committee on Health and Provider Services, to which was referred House Bill No. 1420, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill be AMENDED as follows:

Delete the title and insert the following:

A BILL FOR AN ACT to amend the Indiana Code concerning labor and safety.

Page 1, line 2, delete "An" and insert "**(a) Except as provided in subsection (b), an**".

Page 1, line 6, delete ", other than" and insert ";".

Page 1, line 7, delete "health benefits provided by the employer;".

Page 1, run in lines 6 and 7.

Page 1, after line 11, begin a new paragraph and insert:

"(b) An employer may implement financial incentives:

(1) intended to reduce tobacco use; and



(2) related to employee health benefits provided by the employer."

and when so amended that said bill do pass.

(Reference is to HB 1420 as printed January 26, 2006.)

MILLER, Chairperson

Committee Vote: Yeas 7, Nays 0.

**C
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